

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATIONAL COALITION ON BLACK
CIVIC PARTICIPATION, MARY WINTER,
GENE STEINBERG, NANCY HART,
SARAH WOLFF, KAREN SLAVEN, KATE
KENNEDY, EDA DANIEL, and ANDREA
SFERES,

Plaintiffs,

v.

JACOB WOHL, JACK BURKMAN, J.M.
BURKMAN & ASSOCIATES, LLC,
PROJECT 1599, and JOHN and JANE DOES
1-10,

Defendants.

Civil Action No. 20-cv-8668

DECLARATION OF EDA DANIEL

EDA DANIEL declares, pursuant to 28 U.S.C. § 1746, as follows:

1. My name is EDA DANIEL. I am over 18 years of age and am competent to make this declaration.
2. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.
3. I am a U.S. citizen and lawfully registered to vote in East Cleveland, Ohio, where I live. I live in a racially diverse community.

4. In late August or early September, 2020, I received a robocall from Jack Burkman on my cordless landline phone. I knew it came from him because I saw his name and number on my caller ID. I only answered the phone because it looked like a call from a real person, not an automated call. My number is registered with the Do Not Call registry and with AT&T's do not call program.
5. When I heard the recording, it scared me initially. It was trying to scare me into not voting. It said things like if I vote by mail the police will be able to track me down, or that if I vote by mail I will be forced to get a vaccination.
6. I found these threats to be very jarring and scary, but then I realized halfway through the call that it was ridiculous and false. But the fact that a stranger would send these kinds of scary messages to voters was also disconcerting.
7. Once I realized it was false, I was extremely angry that someone was trying to intimidate me and others into not voting. My father first took me into a voting booth when I was five years old; I believe that voting is sacred. I serve as a precinct official in Cuyahoga County so that I can help others vote. This robocall was despicable and awful; the caller should not be harassing people in this way.

8. I reported this robocall to my congresswoman, to my senator, and to my mayor. I tried to call Burkman's number back to tell him to stop making these calls, but I could only get his voicemail.
9. This robocall made me feel both angry and powerless. I felt vulnerable by having this stranger invading my home with such pernicious lies. Previously, I would answer the phone for anyone with a real name on the caller ID. Now, anytime I get a call from a real name that I do not recognize, I get anxious and apprehensive about whether it is going to be another package of lies. I do not want to pick up the phone.

I declare under penalty of perjury that the foregoing statements are true and correct. Executed on:

October 15, 2020, in EBET CLEVELAND, Ohio, by

A handwritten signature in cursive script, appearing to read "EDA Daniel", is written over a horizontal line.

EDA DANIEL